The Speaker sustained the point Ray. of order.

Mr. Harman offered the following amendment to the bill:

"Amend the caption to conform to the changes and to the body of the bill."

The amendment was adopted.

Senate Bill No. 1 was then passed to third reading.

# SENATE BILL NO. 1 ON THIRD READING

The Speaker then laid Senate Bill No. 1 before the House, on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

### Yeas-119

Adamson. Hill. Aikin. Hodges. Alexander. Holekamp. Alsup. Holland. Anderson. Holloway. Atchison. Hoskins. Baker. Huddleston. Barrett. Hughes. Beck. Hunter. Bergman. Hyder. Bourne. James. Bradley. Jefferson. Jones of Atascosa. Burns. Butler. Jones of Runnels. Calvert. Kayton. Camp. Kyle of Hays. Canon. Kyle of Palo Pinto. Cathey. Laird. Chastain. Lange. Colson. Latham. Coombes. Lemens. Crossley. Leonard. Daniel. Lindsey. Davidson. Long. Lotief. Dean. Devall. Mackay. Dunagan. Magee. Engelhard. McCullough. Fain. McKee. Fisher. Merritt. Ford. Metcalfe. Fuchs. Mitcham. Glass. Moffett. Golson. Moore. Good. Morrison. Goodman. Morse. Graves. Munson. Greathouse. Palmer. Griffith. Parkhouse. Harman. Patterson. Harris. Pavlica. Harrison. Pope. Hartzog. Puryear. Hicks. Ratliff.

Smith. Reader. Stanfield. Reed of Bowie. Steward. Reed of Dallas. Stinson. Renfro. Stovall. Roark. Tennyson. Roberts. Thomas. Rogers of Hunt. Tillery. Townsend. Rogers of Ochiltree. Turlington. Rollins. Van Zandt. Russell. Vaughan. Savage. Walker. Scarborough. Weinert. Shannon. Wood. Shults. Young.

#### Nays-1

Scott.

#### Absent

Barron.
Caven.
Celaya.
Dunlap.
Duvall.
Dwyer.
Head.
Johnson
of Anderson.
Jones of Shelby.
McGregor.
Ramsey.
Riddle.
Tarwater.
Wells.

#### Absent-Excused

Bedford.
Clayton.
Cowley.
Hankamer.
Hester.
Hunt.
Jackson.

Johnson
of Dimmit.
Mathis.
McDougald.
Nicholson.
Stubbeman.
Wagstaff.
Winningham.

### ADJOURNMENT

On motion of Mr. Anderson, the House, at 1:25 o'clock p. m., adjourned until 10 o'clock a. m., to-morrow.

#### APPENDIX

#### STANDING COMMITTEE REPORTS

The Committee on Appropriations filed favorable reports on House Bill No. 1 and Senate Bill No. 1.

#### SECOND DAY

(Tuesday, January 30, 1934)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Jefferson. Mr. Speaker. Johnson Adamson. Aikin. of Anderson. Alexander. Jones of Atascosa. Jones of Runnels. Alsup. Jones of Shelby. Anderson. Kayton. Atchison. Baker. Kyle of Hays. Barrett. Kyle of Palo Pinto. Barron. Laird. Lange. Beck. Bergman. Latham. Bourne. Lemens. Bradley. Leonard. Burns. Lindsey. Long. Butler. Lotief. Calvert. Camp. Mackay. Magee. Canon. Cathey. Mathis. Caven. McCullough. McGregor. Celava. Chastain. McKee. Merritt. Clayton. Colson. Metcalfe. Coombes. Mitcham. Moffett. Cowley. Мооге. Crossley. Daniel. Morrison. Davidson. Morse. Dean. Munson. Devall. Parkhouse. Dunlap. Patterson. Pavlica. Dunagan. Duvall. Pope. Dwyer. Puryear. Engelhard. Ramsey. Fain. Ratliff. Fisher. Ray. Ford. Reader. Reed of Bowie. Fuchs. Reed of Dallas. Glass. Golson. Renfro. Good. Riddle. Goodman. Roark. Roberts. Graves. Greathouse. Rogers of Hunt. Griffith. Rogers Hankamer. of Ochiltree. Harman. Rollins. Harris. Russell. Harrison. Savage. Hartzog. Scarborough. Head. Scott. Hicks. Shannon. Hill. Shults. Hodges. Smith. Holekamp. Stanfield. Holland. Steward. Holloway. Stinson. Hoskins. Stovall. Huddleston. Tarwater. Hughes. Tennyson. Thomas. Hunter. Tillery. Hyder. Jackson. Townsend. James. Turlington.

Van Zandt. Wells.
Vaughan. Winningham.
Walker. Wood.
Weinert. Young.

#### Absent—Excused

Bedford. McDougald. Hester. Nicholson. Hunt. Palmer. Johnson Stubbeman. of Dimmit. Wagstaff.

A quorum was announced present. Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

### LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Bedford for today, on motion of Mr. Tennyson.

Mr. McDougald for today, on motion of Mr. Parkhouse.

Mr. Hunt for today, on motion of Mr. Hunter.

Mr. Palmer was granted leave of absence for today, on account of illness.

### TO GRANT MANEY & ALLEY, CON-TRACTORS, PERMISSION TO SUE THE STATE

Mr. Duvall offered the following resolution:

H. C. R. No. 1, Granting Maney & Alley permission to sue the State.

Whereas, On the twenty-fifth day of June, A. D. 1929, J. W. Maney and J. R. Alley, doing business as Maney & Alley, contractors, with offices in the city of Fort Worth, Tarrant County, Texas, entered into a written contract with the State Highway Commission of the State of Texas whereby the said Maney & Alley agreed to do certain construction work under Job 249-D-S. P. 753-A&B, Highway No. 39, for an agreed bid price, and said contract having specifically set forth each and every obligation imposed upon the said Maney & Alley; and

Whereas, The said Maney & Alley completed said job but were forced to do additional work over and above that amount of work called for by said contract, which said additional work cost the said Maney & Alley the total sum of two thousand, eight hundred seventy-two dollars and eighty-two cents (\$2,872.82); and

Whereas, The said Maney & Alley, named above, have never been compensated by the State of Texas and/or the State Highway Commission of the State of Texas for said additional work rendered by them, and therefore, the said Maney & Alley believe they are entitled to establish the validity and justness of their claim against the State Highway Commission or the State of Texas; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That J. W. Maney and J. R. Alley, doing business as Maney & Alley, Contractors, or their legal representatives, be, and are hereby granted permission to bring suit against the State of Texas and or the State Highway Commission of Texas in the District Court of Tarrant County, Texas, at Fort Worth, in order to determine the alleged rights of the said Maney & Alley for additional compensation in the sum of two thousand eight hundred seventy-two dollars and eightytwo cents (\$2,872.82) for additional work which the said Maney & Alley were required to do over and above that designated in said contract on the above mentioned, described, and numbered project and/or Job 249-D-S. 753-A&B, and all service of citation or other necessary process may be had upon the Highway Commission and the Attorney General of the State of Texas with the same force and effect as in civil cases.

The resolution was read second time, and was referred to the Committee on State Affairs.

#### MESSAGE FROM THE GOVERNOR

The Speaker laid before the House, and had read the following message from Governor Miriam A. Ferguson:

Executive Office, Austin, Texas, January 29, 1934.

To the Forty-third Legislature in Second Called Session:

By proclamation filed in the Secretary of State's office on the twentyfifth day of January, A. D. 1934, I have convened you in the Second Called Session to pass such law or laws as may be necessary to issue and sell the remaining bonds, proposed and permitted under the constitutional amendment of the State, adopted by the voters of Texas at an election duly held on the twenty-sixth made that same be signed with litho-

of affording relief to the unemployed and indigent persons of the State.

And in addition to the foregoing, to pass such law or laws as will grant relief in certain cases during the present emergency and depression, from inequitable foreclosures of mortgages on real estate, and fully set out in said proclamation.

In connection with the issuance of said bonds I desire to make some suggestions, which I think will be helpful. The first issue of said bonds provided that same might be issued in multiples of one hundred dollars. and the Bond Commission issued same in one thousand dollar denominations. From my information it appears that if the bonds were issued in denominations of fifty dollars, one hundred dollars, and any multiple of one hundred dollars, same might be purchased by popular subscription more readily than if just issued in one thousand dollar denominations.

The former statute passed by the Legislature provided that said bonds could not be invested in the Permanent Fund of the University, Public Free School Fund, Highway Fund, school funds and county funds. The result of this was to cause confusion and almost suspicion as to the solvency of these bonds. It was often asserted, during the sale of these bonds, that if the State would not invest its own funds in these bonds then it was inconsistent to ask the public to invest in the same. In my opinion this provision should be eliminated from the law, and it would greatly facilitate the sale of said bonds to provide that the governing authorities of each department may, if they so desire, invest in said bonds. As all of these institutions are supported by the State Government, and it is expected that the State will continue to support said institutions liberally in the future, I see no reason why, in this hour of threatened distress, hunger, and unemployment, that at least some of the idle funds of said departments should not be invested in these relief bonds. At least the inhibition in the law should be removed, and the heads of said departments can invest in same if they so desire, and if they do not, then their failure to do so will not be an impediment to the sale of the bonds.

It is a herculean task to sign these bonds, and I suggest that provision be day of August, 1933, for the purpose graph signature of the Governor, At-

torney General, and Secretary of . State, and that the bonds be signed personally by the Treasurer or his chief clerk, and that they be registered by the Comptroller or by the chief clerk of the Comptroller's De-

partment. The amount of the bonds to be issued will involve your serious attention. I am officially advised by the secretary to Hon. Harry L. Hopkins, Administrator, that it is the intention of the Government to begin the demobilization of the Civil Works Program on the fifteenth of February at the rate of 500,000 employees every two weeks, provided, of course, that proclamation is what is known as the Congress appropriates the money with which to do so. If this is done then we will have the greater part of 250,000 employees in Texas who will be compelled to seek aid from our relief funds. These employees alone will represent at least one million people, and it is evident that we would have a disastrous situation. On the other hand, if the Civil Works Program should end on February fifteenth by failure of Congress to make the appropriations for its continuance, then the intensity of our situation would be further increased. It would amount to a tragedy. But if we look at the case in the most favorable light. and say that the present Civil Works activities are continued uninterrupted, it will still call for the expenditure of substantial millions for relief work.

I have asked the office of the Director of the Texas Relief Commission for estimates covering these possible conditions, and I am advised additional funds to the five million five hundred thousand dollars already provided for will be needed, as follows:

1. If the present Civil Works Program continues uninterrupted, \$11,-

2. If the Civil Works Program is curtailed on a gradually reduced scale from February 15, 1934, onward, \$17,-

3. If the Civil Works Program ends on February 15, 1934, \$19,640,000.

If the present plan of matching with the National Government is continued, then the State's part of the above needs will be one-half of said sums. It would appear that the second condition mentioned above, calling for a gradually reduced scale, from

the minimum amount the Legislature should issue, and it will only take an issuance of \$1,000,000 more to provide against the contingency of the Civil Works Program ending on February 15. To avoid the further expense of another session of the Legislature, it is my opinion that the Legislature should issue at least \$10,000,-000 of the remaining bonds. however, is a matter for your determination. I suggest that you call upon the Director of the Relief Commission to furnish you with data covering the matters herein referred to.

The next question submitted in the moratorium equity of redemption law. Next to the feeding of the hungry and destitute population, is the question of foreclosures on the homes and real estate of the people in this hour of depression. I am informed that there are three hundred farms now advertised for foreclosure in one North Texas county. I am also informed that there are fifteen hundred foreclosures now advertised in Dallas County. From all over this State I am receiving information calling attention to the plight of the people whose homes and real estate are now threatened to be taken away from them because of the depression and the decreased prices of farm products.

Nobody should be allowed, by law, to take advantage of an unfortunate home owner in this hour of depression. Present conditions will probably improve some, but nobody knows when. There has been such decrease in real estate values that we will deceive ourselves if we expect normal values to return under two years. Certainly, they will never return if money lenders are now permitted to extort the collection of their loans at this time and forever wipe out the interest or equity of the present owners in their lands. Certainly, everything should be done to prevent this inhuman condition to take place now.

I attach herewith a copy of the law which, in my opinion, will bring great relief and protection to the owners of real estate. This law is largely copied from the Minnesota law on the subject, and recently upheld as to its constitutionality by the Supreme Court of the United States. I am submitting this law for your consideration February 15, will be the condition in the hope that you will pass the most likely to obtain, and out of an same promptly, so that any foreabundant caution an issuance under closure sale of real estate will be prepremise No. 2 of \$8,920,000 should be vented and protected against if held

ture will have to act promptly. I trust that good time will not be lost in a discussion of different kinds of laws thereof for one hundred four (104) that might be passed, and that the Legislature will pass the law as it has now been approved by the Supreme Court of the United States, and which we can rely upon to be upheld by the courts of our State and again affirmed by the Supreme Court of the United States. If this law is not passed promptly there will be thousands of homes and real estate that will go under the hammer on February 6. I beseech you, gentlemen, in behalf of the people of Texas, to extend this relief now.

As an emergency measure I am also attaching herewith a bill, being "An Act releasing all interest and penalties on registration fees on motor vehicles for which a license fee is due on or before January 31, 1934, and extending the time of payment of same until April 1, 1934."

If the three matters which I have submitted are acted upon promptly and with dispatch, it may be that we will have opportunity to consider other matters.

> Respectfully, MIRIAM A. FERGUSON, Governor of Texas.

#### HOUSE BILLS ON FIRST READING

The following House Bills, intro-duced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Pope:

H. B. No. 2, A bill to be entitled "An Act to amend Article 3771, Revised Civil Statutes, 1925, by providing that in all judgments foreclosing any lien on property, real or personal, except a tax lien, no execution, order of sale or writ of possession shall issue until after the expiration of seven hundred and thirty (730) days after the rendition of a final judgment; repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Pope:

H. B. No. 3, A bill to be entitled "An Act to amend Article 3810, Revised Civil Statutes, 1925, by provid-license issued for such vehicle for the

on the sale day of first Tuesday on made under powers conferred under February 6, 1934. But the Legisla- any deed of trust or other contract lien notice of such proposed sale shall be given by posting written notice consecutive weeks prior to the day of sale; repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Pope:

H. B. No. 4, A bill to be entitled "An Act to stay all sales under execution, or order of sale or under any deed of trust, mortgage or other contract, giving or granting any power of sale of real property for debt now advertised to be made on February 6, 1934, until the first Tuesday in April. 1934; providing that no other or further advertisement or notice of any such sale than that lawfully given for sale on February 6, 1934, shall be required for such sale on the first Tuesday in April, 1934; providing the lien sought to be foreclosed was not procured for the purpose of securing, in part of whole, any indebtedness for money or property procured by misrepresentation, fraud, defalcation or embezzlement; providing the period for making return on any such execution or order of sale is extended for such period as may be necessary for officer to make return, but such extension shall not extend beyond May 1, 1934; and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. McKee et al.:

H. B. No. 5, A bill to be entitled "An Act releasing all interest and all penalties on registration fees on motor vehicles for which a license fee is due on or before January 31, 1934, and extending the time of payment of same until April 1, 1934, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Morse and Mr. Moore:

H. B. No. 6, A bill to be entitled "An Act providing that application for the renewal of registration of a vehicle for any calendar year shall be made not later than May 31st of that year; and providing that during the months of January, February, March, April, and May of each year it shall be lawful to operate any such vehicle under the license number plates and ing that in all sales of real estate preceding calendar year; defining the word 'vehicle'; and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Duvall:

H. B. No. 7, A bill to be entitled "An Act releasing all interest and penalties on registration fees on motor vehicles for which a license fee is due on or before January 31, 1934, and extending the time of payment of same until June 1, 1934, and declaring an emergency."

Referred to Committee on Highways

and Motor Traffic.

By Mr. Pope:

H. B. No. 8, A bill to be entitled "An Act releasing all interest and penalties on registration fees on motor vehicles for which a license fee is due on or before January 31, 1934, and extending the time of payment of same until April 1, 1934, and declaring an emergency."

Referred to Committee on Highways

and Motor Traffic.

By Mr. Greathouse, Mr. Harris, Mr. Adamson, Mr. Bradley, Mr. Lotief, Mr. Cathey, Mr. Duvall, Mr. Fisher, Mr. Thomas, Mr. Chastain, Mr. Alexander, Mr. Alsup, and Mr. Stanfield:

H. B. No. 9, A bill to be entitled "An Act relating to the granting of relief in certain cases during the emergency declared to exist, from inequitable sales under deeds of trust and inequitable foreclosures of vendor's lien and execution sales of real estate, and providing for the postponement of certain sales, and providing for the temporary creation of a period of re-demption of real estate following the forced sale thereof, and providing for the jurisdiction and procedure of such relief and for the right to possession during such redemption period, and limiting the right to maintain actions for deficiency judgments, and providing further for amending House Bill No. 231, Chapter 102, page 225, General Laws, passed at the Regular Session of the Forty-third Legislature, State of Texas; and providing means and methods whereby suits and causes of actions involving judgments for the recovery of real property or the foreclosure of liens against real property, and which are pending on the effective date hereof or which may be filed prior to January 1, 1936, or as otherwise provided herein, may be postponed or continued, and orders of order.

sales and executions may be stayed by complying with the conditions as provided in this Act; authorizing temporary injunctions to stay sales under execution, orders of sales or deeds of trust; providing for extensions under certain conditions; permitting appeals without requiring supersedeas bonds, and setting forth the conditions to be complied with, and the duties of the judge and of the court in respect thereto; limiting the time this Act shall be effective. and suspending laws in conflict herewith, but not repealing any laws; fixing a State policy, containing a saving clause, extending the time within which relief may be granted under the terms of said House Bill No. 231, and fixing venue for suits, the object of which suits are to foreclose liens upon real estate, and declaring an emergency.'

Referred to Committee on Judiciary.

# APPOINTMENTS ON STANDING COMMITTEES

The Speaker announced the appointment of the newly-elected Members of the House as Members of the Standing Committees to which their predecessors were assigned.

### CHANGES IN STANDING COM-MITTEE ANNOUNCED

The Speaker announced the appointment of Hon. Edward H. Lange as a Member of the Committee on Judiciary, instead of Mr. McCullough; and announced the appointment of Hon. J. W. McCullough as a member of the Committee on Criminal Jurisprudence, instead of Mr. Lange.

# RELATIVE TO THE REPORT OF CERTAIN COMMITTEE

Mr. Chastain moved that the report of the committee, heretofore appointed to investigate the alleged violations of the Anti-Nepotism Law, be accepted, and that the committee be discharged.

Mr. Kayton moved that the report of the committee be filed.

Mr. Long raised a point of order on further consideration of the motion by Mr. Chastain, at this time, on the ground that the committee is a joint committee of the House and Senate, and cannot be discharged by the House.

The Speaker sustained the point of order.

#### RECESS

On motion of Mr. Anderson, the House, at 11:15 o'clock a. m., took recess to 2 o'clock p. m., today.

#### AFTERNOON SESSION

The House met at 2 o'clock p. m., and was called to order by the Speaker.

#### MESSAGE FROM THE SENATE

Senate Chamber, Austin, Texas, January 30, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

- S. C. R. No. 4, Extending heartiest birthday greetings to Hon. Franklin D. Roosevelt on his fifty-second birthday, and congratulating him on the wise leadership which he has displayed in helping to bring about a realization of the New Deal.
- S. C. R. No. 2, Commemorating the birthday of Hon. Franklin D. Roosevelt, President of the United States.

  Respectfully,

BOB BARKER, Secretary of the Senate.

### MOTION TO RE-REFER HOUSE BILL NO. 9

Mr. Greathouse moved that House Bill No. 9 be withdrawn from the Committee on Judiciary, and referred to the Committee on Penitentiaries.

Mr. Moore moved that House Bill No. 9 be withdrawn from the Committee on Judiciary, and be referred to the Committee on Public Lands and Buildings.

Mr. Greathouse moved to table the motion of Mr. Moore.

The motion to table prevailed.

Mr. Anderson moved to table the motion of Mr. Greathouse.

The motion to table prevailed.

### EXTENDING BIRTHDAY GREET-INGS TO HON. FRANKLIN D. ROOSEVELT

The Speaker laid before the House, for consideration at this time,

S. C. R. No. 4, Extending birth-day greetings to Hon. Franklin D. Roosevelt.

Whereas, Today is the fifty-second birthday of Hon. Franklin D. Roosevelt, President of the United States, and his birthday is being celebrated throughout the length and breadth of the land with charity balls, the purpose of which is to raise funds for the Warm Springs Foundation for Crippled Children with infantile paralysis, of which Foundation President Roosevelt is the chairman; and

Whereas, The people of the Nation are responding with unprecedented alacrity to this celebration, and their sympathies are being aroused and rekindled to an astonishing degree, not only in behalf of the crippled children who will be affected by the Warm Springs Foundation, but the crippled and unfortunate children in every State of the Union where there are organizations and agencies, either State-wide or local, set up for the care, treatment, and hospitalization of the unfortunate child; and

Whereas, The people of the State of Texas and of the Nation at large are to be congratulated and commended for the readiness and willingness with which they respond to all features and phases of the President's program generally; therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That heartiest birthday greetings be extended to the President of the United States on his fiftysecond birthday, and that the sincere hope be expressed that the cause of the crippled child, so dear to his heart, be so impressed upon the consciousness of every man, woman, and child in America today as that the Warm Springs Foundation may be more generously endowed so that no child crippled from infantile paralysis, living or yet unborn, shall ever want for attention. Be it further

Resolved, That the Legislature of the State of Texas extend its happy and unqualified support to the President of the United States in his further undertakings, and that it congratulates the Nation on the wise leadership which he has displayed in helping to bring about a realization of the New Deal.

The resolution was read second time, and was unanimously adopted.

# HOUSE BILL NO. 5 ON SECOND READING

Mr. McKee moved that the Twentyfour-hour House Rule, relative to the consideration of printed bills, be suspended for the purpose of taking up for consideration at this time, House Bill No. 5.

The motion prevailed.

Mr. McKee moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 5 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

### Yeas-112

Adamson. Hicks. Aikin. Hill. Alexander. Hodges. Alsup. Holland. Anderson. Holloway. Atchison. Hoskins. Baker. Huddleston. Barrett. Hughes. Barron. Hunter. Beck. Hyder. Bergman. Jackson. Bourne. James. Jones of Runnels. Bradley. Burns. Kayton. Kyle of Palo Pinto. Camp. Canon. Laird. Cathey. Latham. Celaya. Lemens. Chastain. Leonard. Clayton. Lindsey. Colson. Long. Coombes. Lotief. Cowley. Mackay. Daniel. Magee. Davidson. McCullough. Dean. McKee. Dunlap. Merritt. Dunagan. Mitcham. Duvall. Moore. Engelhard. Morrison. Morse. Fain. Fisher. Parkhouse. Ford. Patterson. Fuchs. Pavlica. Pope. Glass. Golson. Puryear. Good. Ratliff. Goodman. Ray. Greathouse. Reader. Reed of Bowie. Griffith. Hankamer. Reed of Dallas. Harman. Renfro. Harris. Riddle. Hartzog. Roark. Head. Roberts.

Rollins. Tennyson. Russell. Thomas. Tillery. Savage. Scarborough. Turlington. Van Zandt. Shannon. Shults. Vaughan. Walker. Smith. Stanfield. Weinert. Steward. Wells. Wood. Stinson. Tarwater. Young.

#### Nays—11

Caven. Moffett.
Crossley. Scott.
Devall. Stovall.
Graves. Townsend.
Kyle of Hays. Winningham.
Metcalfe.

#### Absent

Butler. Jones of Shelby. Calvert. Lange. Mathis. Dwyer. Harrison. McGregor. Holekamp. Munson. Jefferson. Ramsey. Rogers of Hunt. Johnson of Anderson. Rogers Jones of Atascosa. of Ochiltree.

#### Absent—Excused

Bedford. McDougald. Hester. Nicholson. Hunt. Palmer. Johnson Stubbeman. of Dimmit. Wagstaff.

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 5, A bill to be entitled "An Act releasing all interest and all penalties on registration fees on motor vehicles for which a license fee is due on or before January 31, 1934, and extending the time of payment of same until April 1, 1934, and declaring an emergency."

The bill was read second time.

Mr. Atchison offered the following amendment to the bill:

Amend House Bill No. 5 by striking out the word "April," in Section 1, line 5, and inserting in lieu thereof the word "March."

ATCHISON, VAN ZANDT.

On motion of Mr. Cathey, the amendment was tabled.

Mr. Lemens offered the following amendment to the bill:

Amend pending bill by striking out last eight words of Section 2.

The amendment was adopted.

Mr. Alexander offered the following amendment to the bill:

Amend House Bill No. 5 by adding the following, to be known as Section 2, and renumbering the follow-

ing sections accordingly:

"Section 2. Further provided that any owner of a motor vehicle who has owned the same since the first day of January, 1934, shall, in order to take advantage of the remission of interest and penalty provided for herein, pay upon said motor vehicle the full registration and license fee for the calendar year 1934; and

"Further provided that the owner of any motor vehicle which has here-tofore been registered but which he has purchased on or since January 1, 1934, shall be required to pay only such proportionate part of the full 1934 license and registration fee as is now provided by law."

ALEXANDER, HUGHES, MOFFETT.

On motion of Mr. Coombes, the amendment was tabled.

Mr. McGregor offered the following amendment to the bill:

Amend House Bill No. 5, Section 1, by striking out the words "motor vehicle," wherever they appear, and insert in lieu thereof the word "automobile."

On motion of Mr. McKee, the amendment was tabled.

Mr. McKee offered the following amendment to the bill:

Amend the caption to conform to the changes and to the body of the bill.

The amendment was adopted.

Mr. Alexander offered the following amendment to the bill:

Amend House Bill No. 5 by changing date in Section 1 from April 1, 1934 to March 31, 1934.

ALEXANDER, HARRIS.

The amendment was adopted.

House Bill No. 5 was then passed to engrossment.

# HOUSE BILL NO. 5 ON THIRD READING

The Speaker then laid House Bill No. 5 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

#### Yeas-110

Adamson. James. Aikin. Johnson Alexander. of Anderson. Alsup. Jones of Atascosa. Anderson. Jones of Runnels. Atchison. Jones of Shelby. Baker. Kayton. Barrett. Kyle of Palo Pinto. Barron. Laird. Beck. Lemens. Bergman. Leonard. Bourne. Long. Bradley. Lotief. Burns. Mackay. Butler. Magee. Camp. McCullough. Canon. McGregor. Cathey. McKee. Celaya. Mitcham. Chastain. Moffett. Clayton. Moore. Morrison. Colson. Coombes. Morse. Cowley. Parkhouse. Daniel. Patterson. Davidson. Pavlica. Dean. Pope. Dunlap. Puryear. Dunagan. Ratliff. Duvall. Ray. Engelhard. Reader. Reed of Bowie. Fain. Reed of Dallas. Fisher. Ford. Renfro. Riddle. Fuchs. Roark. Glass. Roberts. Golson. Good. Rogers Goodman. of Ochiltree. Greathouse. Savage. Griffith. Scarborough. Hankamer. Shannon. Shults. Harris. Smith. Hartzog. Head. Stanfield. Hicks. Steward. Hill. Stinson. Tarwater. Hodges. Tennyson. Holekamp. Thomas. Holland. Hoskins. Van Zandt, Huddleston. Vaughan. Hughes. Walker. Hunter. Wells. Hyder. Wood. Jackson. Young.

#### Nays—9

Caven. Munson.
Crossley. Scott.
Devall. Stovall.
Graves. Winningham.

Kyle of Hays.

#### Present-Not Voting

#### Merritt.

#### Absent

Calvert. Metcalfe. Ramsey. Dwyer. Harman. Rogers of Hunt. Harrison. Rollins. Holloway. Russell. Jefferson. Tillery. Townsend. Lange. Latham. Turlington. Lindsey. Weinert. Mathis.

#### Absent—Excused

Bedford. McDougald.
Hester. Nicholson.
Hunt. Palmer.
Johnson Stubbeman.
of Dimmit. Wagstaff.

# HOUSE BILL NO. 6 ON SECOND READING

On motion of Mr. Morse, the Twenty-four-hour House Rule, relative to the consideration of printed bills, was suspended for the purpose of considering at this time, House Bill No. 6.

Mr. Morse moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 6 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas-95

Adamson. Fuchs. Aikin. Glass. Alexander. Golson. Atchison. Good. Barrett. Goodman. Barron. Graves. Bourne. Greathouse. Butler. Griffith. Canon. Hankamer. Chastain. Harris. Clayton. Hartzog. Head. Colson. Coombes. Hicks. Cowley. Hill. Davidson. Hodges. Dean. Holekamp. Devall. Holland. Dunagan. Hoskins. Duvall. Huddleston. Dwyer. Hughes. Engelhard. Hyder. Fain. Jackson. Fisher. James. Ford. Jones of Runnels.

Ratliff. Jones of Shelby. Kayton. Ray. Kyle of Palo Pinto. Reader. Reed of Bowie. Lemens. Reed of Dallas. Leonard. Lindsey. Renfro. Long. Riddle. Lotief. Roark. Mackay. Rogers Magee. of Ochiltree. McCullough. Scarborough. McKee. Shannon. Merritt. Shults. Metcalie. Smith. Mitcham. Stanfield. Moffett. Stinson. Tarwater. Moore. Morrison. Tennyson. Morse. Townsend. Parkhouse. Turlington. Patterson. Walker. Pavlica. Wells. Pope. Wood. Puryear. Young.

#### Nays—15

Alsup. Laird.
Beck. Munson.
Burns. Scott.
Caven. Steward.
Crossley. Stovall.
Daniel. Tillery.
Hunter. Winningham.
Kyle of Hays.

#### Absent

Anderson. Jones of Atascosa. Baker. Lange. Bergman. Latham. Bradley. Mathis. Calvert. McGregor. Camp. Ramsey. Cathey. Roberts. Celaya. Rogers of Hunt. Dunlap. Rollins. Harman. Russell. Savage. Harrison. Holloway. Thomas. Jefferson. Van Zandt. Johnson Vaughan. of Anderson. Weinert.

#### Absent—Excused

Bedford. McDougald. Hester. Nicholson. Hunt. Palmer. Johnson Stubbeman. of Dimmit. Wagstaff.

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 6, A bill to be entitled "An Act providing that application for the renewal of registration of a vehicle for any calendar year shall

be made not later than May 31 of that year; and providing that during the months of January, February, March, April, and May of each year, it shall be lawful to operate any such vehicle under the license number plates and license issued for such vehicle for the preceding calendar year; defining the word 'vehicle'; and declaring an emergency."

The bill was read second time.

Mr. Morse offered the following amendment to the bill:

Amend House Bill No. 6 by striking out "May 31," and inserting in lieu thereof "March 31"; and by striking out the words "April and May," and inserting the word "and" between the words "February" and "March."

MORSE, MOORE.

The amendment was adopted.

Mr. McKee offered the following amendment to the bill:

Amend House Bill No. 6 by adding a new section, to be know as Section 2-a, which shall hereafter read as follows:

"Section 2-a. This Act shall take effect and be in force beginning in the year 1935."

McKEE, SAVAGE.

The amendment was adopted.

Mr. Morrison offered the following amendment to the bill:

Amend House Bill No. 6 by adding at the end of Section 1 the following: "Provided the proportionate part of said tax shall have been paid for the months of January, February, and March."

> MORRISON, BECK, GRAVES.

(Pending consideration of the amendment, Mr. Burns occupied the Chair temporarily.)

(Speaker in the Chair.)

Mr. Moore moved to table the amendment.

The motion prevailed.

Mr. Hankamer moved that House Bill No. 6 be laid on the table.

The motion was lost,

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes, and to the body of the bill.

House Bill No. 6 was then passed to engrossment.

# HOUSE BILL NO. 6 ON THIRD READING

The Speaker then laid House Bill No. 6 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

#### Yeas-105

Adamson. Laird. Aikin. Latham. Alexander. Lemens. Alsup. Leonard. Anderson. Lindsey. Atchison. Long. Baker. Lotief. Barrett. Mackay. Barron. Magee. Beck. McCullough. Bergman. McGregor. Bradley. Merritt. Burns. Metcalfe. Canon. Mitcham. Cathey. Moore. Celaya. Morrison. Chastain. Morse. Clayton. Parkhouse. Coombes. Patterson. Cowley. Pavlica. Crossley. Pope. Dean. Puryear. Dunagan. Ratliff. Duvall. Ray. Dwyer. Reader. Fain. Reed of Bowie. Fisher. Reed of Dallas. Renfro. Ford. Fuchs. Riddle. Glass. Roark. Rogers of Hunt. Golson. Good. Rogers Goodman. of Ochiltree. Greathouse. Rollins. Griffith. Russell. Harman. Savage. Harris. Scarborough. Head. Scott. Hicks. Shannon. Hill. Shults. Hodges. Smith. Holekamp. Stanfield. Holland. Stinson. Stovall. Hoskins. Tarwater. Huddleston. Tennyson. Hughes. Hunter. Thomas. Hyder. Turlington. Jackson. Vaughan. Jones of Atascosa. Walker. Jones of Runnels. Wells. Jones of Shelby. Winningham.

Kyle of Palo Pinto. Wood.

#### Nays-8

Bourne. Butler. Caven. Hankamer. Kyle of Hays. Munson. Steward. Tillery.

#### - Present-Not Voting

#### Van Zandt.

#### Absent

Calvert. Jefferson. Camp. Johnson Colson. of Anderson. Daniel. Kayton. Davidson. Lange. Devall. Mathis. Dunlap. McKee. Engelhard. Moffett. Ramsey. Graves. Harrison. Roberts. Hartzog. Townsend. Holloway. Weinert. James. Young.

### Absent-Excused

Bedford. Hester. Hunt. Johnson

of Dimmit.

McDougald. Nicholson. Palmer. Stubbeman. Wagstaff.

# HOUSE BILL NO. 4 ON SECOND READING

On motion of Mr. Pope, the Twentyfour-hour House Rule, relative to the consideration of printed bills, was suspended for the purpose of considering at this time House Bill No. 4.

Mr. Pope moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 4 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas-111

Adamson. Canon. Aikin. Cathey. Alexander. Caven. Alsup. Celaya. Anderson. Chastain. Atchison. Clayton. Baker. Coombes. Barrett. Davidson. Beck. Dean. Bergman. Devall. Dwyer. Bourne. Bradley. Engelhard. Burns. Fain. Butler. Fisher.

Ford. Moore. Fuchs. Morrison. Glass. Morse. Golson. Parkhouse. Good. Pavlica. Goodman. Pope. Graves. Puryear. Greathouse. Ramsey. Griffith. Ratliff. Hankamer. Ray. Harman. Reader. Harris. Reed of Bowie. Hartzog. Reed of Dallas. Head. Renfro. Hill. Riddle. Hodges. Roark. Holekamp. Roberts. Holland. Rogers of Hunt. Hoskins. Rogers Huddleston. of Ochiltree. Hughes. Rollins. Hunter. Russell. Hyder. Scarborough. Jackson. Scott. James. Shannon. Johnson Shults. of Anderson. Smith. Jones of Runnels. Stanfield. Jones of Shelby. Steward. Kayton. Stinson. Kyle of Palo Pinto. Stovall. Laird. Tarwater. Tennyson. Latham. Thomas. Lemens. Leonard. Tillery. Lindsey. Townsend. Long. Turlington. Lotief. Van Zandt. Mackay. Walker. Magee. Wells. Merritt. Winningham.

### Nays—2

Wood.

Kyle of Hays. Munson.

Mitcham.

Moffett.

### Absent

Barron. Jefferson. Calvert. Jones of Atascosa. Lange. Camp. Colson. Mathis. Cowley. McCullough. Crossley. McGregor. Daniel. McKee. Dunlap. Metcalfe. Dunagan. Patterson. Duvall. Savage. Harrison. Vaughan. Hicks. Weinert. Holloway. Young.

#### Absent—Excused

Bedford. Hester. Hunt. Johnson of Dimmit. McDougald. Nicholson. Palmer. Stubbeman. Wagstaff.

The Speaker then laid before the House, on its second reading and

passage to engrossment,

H. B. No. 4, A bill to be entitled "An Act to stay all sales under execution, or order of sale, or under any deed of trust, mortgage, or other contract giving or granting any power of sale of real property for debt now advertised to be made on February 6, 1934, until the first Tuesday in April, 1934; providing that no other or further advertisement or notice of any such sale than that lawfully given for sale on February 6, 1934, shall be required for such sale on the first Tuesday in April, 1934; providing the lien sought to be foreclosed was not procured for the purpose of securing in part or whole any indebtedness for money or property procured by misrepresentation, fraud, defalcation, or embezzlement; providing the period for making return on any such execution or order of sale is extended for such period as may be necessary for officer to make return, but such extension shall not extend beyond May 1, 1934, and declaring an emergency."

The bill was read second time.

Mr. Pope offered the following amendment to the bill:

Amend House Bill No. 4 by changing the date "April, 1934" to "March, 1934," in both the caption and the body of the bill.

The amendment was adopted.

Mr. Stinson offered the following amendment to the bill:

Amend House Bill No. 4 by inserting a new section, to be numbered Section 3, as follows:

"Section 3. That any and all statutes of limitations be and the same are hereby suspended during the effective period of this Act"; and renumber Section 3, making same Section 4.

The amendment was adopted.

Mr. Stinson offered the following amendment to the bill:

Amend House Bill No. 4, Section 2, by striking out the word "May," in the last line of said section, and insert in place thereof the word "April."

The amendment was adopted.

By unanimous consent of the House, Hyder. the caption of the bill was ordered James.

amended to conform to all changes, and to the body of the bill.

House Bill No. 4 was then passed to engrossment.

# HOUSE BILL NO. 4 ON THIRD READING

The Speaker then laid House Bill No. 4 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

#### Yeas-110

Adamson. Johnson Aikin. of Anderson. Alexander. Jones of Atascosa. Alsup. Jones of Runnels. Anderson. Jones of Shelby. Atchison. Kayton. Kyle of Palo Pinto. Baker. Barrett. Laird. Barron. Latham. Beck. Lemens. Bergman. Leonard. Bourne. Lindsey. Bradley. Long. Burns. Lotief. Butler. Mackay. Canon. Magee. Caven. McCullough. Celaya. Merritt. Moffett. Chastain. Clayton. Moore. Coombes. Morrison. Cowley. Morse. Davidson. Parkhouse. Dean. Patterson. Devall. Pavlica. Pope. Dunagan. Puryear. Dwyer. Ramsey. Engelhard. Ratliff. Fain. Fisher. Ray. Fuchs. Reader. Reed of Bowie. Glass. Reed of Dallas. Golson. Renfro. Good. Goodman. Riddle. Roark. Graves. Greathouse. Roberts. Hankamer. Rogers of Ochiltree. Harman. Rollins. Harris. Russell. Hartzog. Head. Savage. Scarborough. Hill. Hodges. Scott. Holekamp. Shannon. Shults. Holland. Hoskins. Smith. Stanfield. Huddleston. Steward. Hughes. Hvder. Stinson. Stovall.

Tarwater. Tennyson. Thomas. Townsend. Van Zandt. Walker. Wells.

Winningham. Wood.

Turlington.

Nays—4

Crossley. Ford.

Kyle of Hays. Munson.

Absent

Calvert. Camp. Cathey. Colson. Daniel.

Dunlap.

Duvall.

Griffith.

Jefferson. Lange. Mathis. McGregor. McKee. Metcalfe. Mitcham. Rogers of Hunt. Tillery.

Harrison. Hicks. Holloway. Hunter. Jackson.

Vaughan. Weinert. Young.

Absent—Excused

Bedford.

Hester.

Hunt. Johnson of Dimmit. McDougald.

Nicholson. Palmer. Stubbeman. Wagstaff.

#### ADJOURNMENT

On motion of Mr. Chastain, the House, at 4:40 o'clock p. m., adjourned until 10 o'clock a. m., tomorrow.

## APPENDIX

## STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolution, as follows:

Highways and Motor Traffic: House Bills Nos. 5 and 6.

Judiciary: House Bill No. 4.

House Joint Resolution Labor:

No. 1.

# In Memory of

# Mrs. E. F. Wells

Mr. Head offered the following resolution:

Whereas, On the twenty-second day of December, 1933 A. D., Mrs. E. F. Wells, the mother of our colleague and friend, Hon. Joe Kelton Wells, of Corsicana, Texas, passed to her eternal reward; and

Whereas, She was a faithful mother and devoted wife, living an exemplary Christian life which fully served its intended purpose; and

Whereas, We are cognizant of the loss sustained by the bereaved family and host of friends, therefore, be it

Resolved by the House of Representatives, State of Texas, That we extend to our associate the full measure of our sympathy, and be it further

Resolved, That as we adjourn today, we do so in commemoration of the passing of Mrs. Wells and that a copy of this resolution be forwarded to Mr. E. F. Wells, Corsicana, Texas, Mrs. S. Montgomery, of Dallas, Texas, and L. M. Wells, of Great Falls, Montana, and that a copy be presented to Joe Kelton Wells.

HEAD, FORD, RENFRO.

The resolution was read second time.

On motion of Mr. Kayton, the names of all the Members of the House were added to the resolution as signers thereof:

Signed—Stevenson, Speaker; Adamson, Aikin, Alexander, Alsup, Anderson, Atchison, Baker, Barrett, Barron, Beck, Bedford, Bergman, Bourne, Bradley, Burns, Butler, Calvert, Camp, Canon, Cathey, Caven, Celaya, Chastain, Clayton, Colson, Coombes, Cowley, Crossley, Daniel, Davidson, Dean, Devall, Dunagan, Dunlap, Duvall, Dwyer, Engelhard, Fain, Few, Fisher, Fuchs, Glass, Golson, Good, Goodman, Graves, Greathouse, Griffith, Hankamer, Harman, Harris, Harrison, Hartzog, Hester, Hicks, Hill of Brazoria, Hill of Webb, Hodges, Holekamp, Holland, Holloway, Hoskins, Huddleston, Hughes, Hunt, Hunter, Hyder, Jackson, James, Jefferson, Johnson of Anderson, Johnson of Dimmit, Jones of Atascosa, Jones of Runnels, Jones of Shelby, Kayton, Kyle of Hays, Kyle of Palo Pinto, Laird, Lange, Latham, Lemens, Leonard, Lindsey, Long, Lotief, Magee, Mackay, Mathis, McClain, McCullough, McDougald, McGregor, McKee, Merritt, Metcalfe, Mitcham, Moffett, Moore, Morrison, Morse, Munson, Nicholson, Palmer, Parkhouse, Patterson, Pavlica, Pope, Puryear, Ramsey, Ratliff, Ray, Reader, Reed of Bowie, Reed of Dallas, Riddle, Roark, Roberts, Rogers of Hunt, Rogers of Ochiltree, Rollins, Ross, Russell, Savage, Scarborough, Scott, Shannon, Shults, Smith, Stanfield, Steward, Stinson, Stovall, Stubbeman, Sullivant, Tarwater, Tennyson, Thomas, Tillery, Townsend, Turlington, Van Zandt, Vaughan, Wagstaff, Walker, Weinert, Winningham, Wood, Young.

The resolution was adopted unanimously by a rising vote.

# In Gemory of

# Bon. Walter A. Dealey

Mr. Savage offered the following resolution:

Whereas, We have just learned with much regret of the death of Walter A. Dealey, Vice-President of the A. H. Belo Corporation, publishers of the Dallas News and Dallas Journal; and

Whereas, Mr. Dealey was a native Texan and a graduate of the University of Texas; and

Whereas, Mr. Dealey spent his life by the side of his illustrious father, George B. Dealey, helping to shape the policies and the management of the great Belo publications; therefore, be it

Resolved by the House of Representatives, That an enrolled copy of this resolution be sent to the members of Mr. Dealey's family, expressing our sorrow and regret at his passing; and that the House, when it adjourns today, do so in his memory, and that a page be set aside in the House Journal for this resolution.

SAVAGE, PARKHOUSE, COOMBES, HUGHES, REED of Dallas, STINSON.

The resolution was read second time.

On motion of Mr. Vaughan, the names of all the Members of the House were added to the resolution as signers thereof:

Signed-Stevenson, Speaker; Adamson, Aikin, Alexander, Alsup, Anderson, Atchison, Baker, Barrett, Barron, Beck, Bedford, Bergman, Bourne, Bradley, Burns, Butler, Calvert, Camp, Canon, Cathey, Caven, Celaya, Chastain, Clayton, Colson, Cowley, Crossley, Daniel, Davidson, Dean, Devall, Dunagan, Dunlap, Duvall, Dwyer, Engelhard, Fain, Fisher, Ford, Fuchs, Glass, Golson, Good, Goodman, Graves, Greathouse, Griffith, Hankamer, Harman, Harris, Harrison, Hartzog, Head, Hester, Hicks, Hill of Brazoria, Hodges, Holekamp, Holland, Holloway, Hoskins, Huddleston, Hunt, Hunter, Hyder, Jackson, James, Jefferson, Johnson of Anderson, Johnson of Dimmit, Jones of Atascosa, Jones of Runnels, Jones of Shelby, Kayton, Kyle of Hays, Kyle of Palo Pinto, Laird, Lange, Latham, Lemens, Leonard, Lindsey, Long, Lotief, Magee, Mackay, Mathis, McCullough, McDougald, McGregor, McKee, Merritt, Metcalfe, Mitcham, Moffett, Moore, Morrison, Morse, Munson, Nicholson, Palmer, Patterson, Pavlica, Pope, Puryear, Ramsey, Ratliff, Ray, Reader, Reed of Bowie, Renfro, Riddle, Roark, Roberts, Rogers of Hunt, Rogers of Ochiltree, Rollins, Russell, Scarborough, Scott, Shannon, Shults, Smith, Stanfield, Steward, Stovall, Stubbeman, Tarwater, Tennyson, Thomas, Tillery, Townsend, Turlington, Van Zandt, Vaughan, Wagstaff, Walker, Weinert, Wells, Winningham, Wood, Young.

The resolution was adopted by a rising vote.